

**REMARKS/ARGUMENTS**

Reconsideration and allowance of this application is requested in view of the remarks that follow hereinafter.

Claims 1 – 9, 11 – 29, 31 – 35 and 37 – 40 have been canceled.

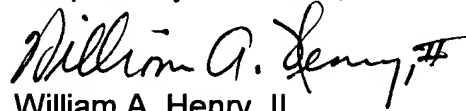
Claim 41 is rejected under 35 U.S.C. 102(a) as being anticipated by Dixon. This rejection is believed untenable and should be withdrawn since Dixon does not show all of the features claimed in claim 41. Dixon shows fiber optic rods that are **solid** throughout in FIGS. 2 and 3, and as disclosed in col. 2, lines 19 – 26, includes about 78,000 fiber elements in a bundle two millimeters in diameter. In contrast, the bundled capillary array as called for in claim 41 comprises capillary tubes that are inherently **hollow**. Applicant, in the specification on page 5, lines 12, and 18 – 20, uses the word “capillary” in its usual meaning as defined in Funk & Wagnalls Standard Dictionary, International Edition, copyright 1962, page 197, as a tube having a hairlike bore. Obviously, the solid fiber optic rod of Dixon cannot meet this structure. The advantage of Applicant’s distinction of hollow tubes over the solid fiber optic rods of Dixon is one of cheapness in price, simplicity and ease of fabrication. It is known that fiber optic rods are difficult to make in that the fibers are expensive, they are usually encased in a cladding material that is expensive and used to fill in spaces between the fibers when they are bundled, and the whole bundled unit has to be fired or glued with a specialized glue that does not diffuse. Therefore, in view of the above distinction and advantages of Applicant’s claimed invention over Dixon, Applicant requests withdrawal of this rejection and allowance of claim 41.

Claims 10, 30 and 36 are allowed.

Application No. 09/728,756

In view of the foregoing amendments and remarks the subject application is believed to be in condition for allowance. Therefore, further consideration and allowance of the subject application is requested. If the Examiner considers personal contact advantageous to the disposition of this case, please call Applicant's Attorney, William A. Henry, II at (585) 385-3798.

Respectfully submitted,

A handwritten signature in black ink that reads "William A. Henry, II". The signature is written in a cursive style with a large, stylized "W" and "H".

William A. Henry, II  
Attorney for Applicant  
Registration No. 26,403

WAH